

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MICHAEL BUSH,

Plaintiff,

v.

THE WANG CENTER FOR THE
PERFORMING ARTS, INC. d/b/a Boch
Center,

Defendant.

Case No.: 1:22-cv-10473-GAO

AFFIDAVIT OF ATTORNEY RICHARD C. CHAMBERS, JR.

I, Richard C. Chambers, Jr., Esq., hereby state that the following is true to the best of my knowledge and belief:

1. Federal Rule of Civil Procedure 12(a)(1)(A)(i)'s 21-day deadline for the Defendant to serve either an answer or a motion to dismiss was March 31st, 2022, which the Defendant failed to meet.
2. The Defendant also failed to serve a motion to extend time to respond to the Complaint. The Defendant's legal counsel did not contact me or serve a response to the Plaintiff's Complaint until April 5th, 2022.
3. This default by the Defendant cannot be explained away by the Defendant having removed this case from state to federal court. The Defendant filed their notice of removal and over one hundred and ninety (190) pages of accompanying documents with this Court on March 29th, 2022, before the twenty-one (21) day deadline for an answer or motion to dismiss specified by Fed. Rule. Civ. Proc. 12(a)(1)(A)(i).

4. The Defendant is a corporation and thus is neither a minor nor an incompetent person.
5. The sum for which default judgment is to be entered is certain. Following Paragraph 98 in the Plaintiff's Complaint is a demand for \$800,000.00 in damages. Elsewhere in the Complaint's counts the Plaintiff demands costs and attorney fees. The costs and attorney fees in this case total \$5,330.00 at this time. Thus, the sum for default judgment is \$805,330.00.

I declare under the penalties of perjury that the foregoing is true and correct.

Executed this fifteenth (15th) day of April, 2022.

/s/ Richard C. Chambers, Jr., Esq.
Richard C. Chambers, Jr., Esq.
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent this day to those participants indicated as non-registered participants.

DATED: April 15, 2021

/s/ Richard C. Chambers, Jr., Esq.
Richard C. Chambers, Jr., Esq.